



Rep. Lakesia Collins

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10200HB0690ham002

LRB102 11795 SPS 25771 a

1 AMENDMENT TO HOUSE BILL 690

2 AMENDMENT NO. _____. Amend House Bill 690 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Dental Practice Act is amended by
5 changing Section 19.2 and by adding Section 19.3 as follows:

6 (225 ILCS 25/19.2)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 19.2. Temporary permit for free dental care.

9 (a) The Department may issue a temporary permit
10 authorizing the practice in this State, without compensation,
11 of dentistry or dental hygiene to an applicant who is licensed
12 to practice dentistry or dental hygiene in another state, if
13 all of the following apply:

14 (1) The Department determines that the applicant's
15 services will improve the welfare of Illinois residents.

16 (2) The Department determines that the applicant is

1 qualified and satisfies the criteria specified under
2 Sections 9 and 13 of this Act, except for the examination
3 requirement.

4 (b) The Department may not require the applicant to pass
5 an examination as provided in subsection (e) of Section 9 of
6 this Act in order to receive a temporary permit under this
7 Section.

8 (c) A temporary permit under this Section shall authorize
9 the practice of dentistry or dental hygiene in a specified
10 area of the State for a period of time not to exceed 5 ~~10~~
11 consecutive days in a year ~~and may be renewed by the~~
12 ~~Department~~. The Department may require an applicant to pay a
13 fee for the issuance ~~or renewal~~ of a permit under this Section.

14 (d) The Secretary may summarily terminate any permit
15 issued pursuant to this Section, without a hearing, if the
16 Secretary finds that evidence in his or her possession
17 indicates that an individual permit holder's continuation in
18 practice would constitute an imminent danger to the public. In
19 the event that the Secretary summarily suspends a permit
20 issued pursuant to this Section, the permit holder may
21 petition the Department for a hearing in accordance with the
22 provisions of this Act to reinstate his or her permit.

23 In addition to terminating any permit issued pursuant to
24 this Section, the Department may issue a monetary penalty not
25 to exceed \$1,000 upon the permit holder and may notify any
26 state in which the permit holder has been issued a license that

1 his or her Illinois permit has been terminated and the reasons
2 for the termination. The monetary penalty shall be paid within
3 60 days after the effective date of the order imposing the
4 penalty. The order shall constitute a judgment and may be
5 filed and execution had thereon in the same manner as any
6 judgment from any court of record. It is the intent of the
7 General Assembly that a permit issued pursuant to this Section
8 shall be considered a privilege and not a property right.

9 (Source: P.A. 96-1222, eff. 7-23-10.)

10 (225 ILCS 25/19.3 new)

11 Sec. 19.3. Temporary visiting dentist permit.

12 (a) The Department may, in its discretion, issue a
13 temporary visiting dentist permit, without examination,
14 provided that the person has graduated from a college or
15 school accredited by the American Dental Association's
16 Commission on Dental Accreditation and is in good standing in
17 his or her native licensing jurisdiction during the period of
18 the temporary visiting permit and can furnish to the
19 Department a certified letter upon request from that
20 jurisdiction attesting to the fact that the visiting dentist
21 has no pending action or violations against his or her
22 license.

23 (b) Applicants for a temporary visiting dentist permit
24 shall be limited to those attending a dental school, a state or
25 national dental professional association or society conference

1 or meeting, a hospital licensed under the Hospital Licensing
2 Act, a hospital organized under the University of Illinois
3 Hospital Act, a facility operated pursuant to the Ambulatory
4 Surgical Treatment Center Act; or to attend a training course
5 sponsored by a continuing education provider who has approval
6 to provide continuing education in the State of Illinois and
7 is in compliance with the provisions of the Dental Care
8 Patient Protection Act.

9 (c) The temporary visiting dentist permit shall only
10 permit the holder to practice dentistry: (i) within the scope
11 of the dental studies; (ii) in conjunction with the state or
12 national dental professional association or society conference
13 or meeting; or (iii) in conjunction with a continuing
14 education program approved by the Department, for which the
15 holder is attending.

16 (d) The holder of a temporary visiting dentist permit may
17 not administer conscious sedation, deep sedation, or general
18 anesthesia. Each patient who seeks treatment from a temporary
19 visiting dentist must sign a consent form acknowledging that
20 the care the patient will receive will be provided by a dentist
21 not licensed in the State of Illinois and that the dentist who
22 has the collaborative agreement with the temporary visiting
23 dentist will be responsible for all the follow-up care
24 associated with the treatment rendered to the patient.

25 (e) A valid written collaborative agreement must exist
26 between the temporary visiting dentist and the Illinois

1 licensed dentist co-treating patients under this Section. The
2 collaborative agreement must include a description of the care
3 to be provided and procedures to be performed by the temporary
4 visiting dentist. A copy of this agreement shall become part
5 of the patient's dental record and shall be made available
6 upon request to the Department. All follow-up care for any
7 patients treated by a dentist holding a temporary visiting
8 dentist permit shall be provided by an Illinois-licensed
9 dentist.

10 (f) A visiting dentist granted a temporary permit under
11 this Section shall only be allowed to treat patients who are
12 eligible for Medicaid or who are uninsured and whose household
13 income is no greater than 200% of the federal poverty level as
14 attested to by the patient.

15 (g) An application for the temporary visiting dentist
16 permit shall be made to the Department, in writing, on forms
17 prescribed by the Department, and shall be accompanied by a
18 nonrefundable fee provided for in Section 19.2. The
19 application shall require information that will enable the
20 Department to determine the qualifications of the applicant
21 and the necessity for the granting of a temporary visiting
22 dentist permit.

23 (h) The temporary visiting dentist permit shall be valid
24 for 6 months after the date of issuance. A temporary visiting
25 dentist can provide clinical services for no more than 5 days
26 per year.

1 (i) The Secretary may summarily terminate any permit
2 issued pursuant to this Section, without a hearing, if the
3 Secretary finds that evidence in his or her possession
4 indicates that an individual permit holder's continuation in
5 practice would constitute an imminent danger to the public. If
6 the Secretary summarily suspends a permit issued pursuant to
7 this Section, the permit holder may petition the Department
8 for a hearing in accordance with the provisions of this Act to
9 reinstate his or her permit.

10 (j) In addition to terminating any permit issued pursuant
11 to this Section, the Department may issue a monetary penalty
12 not to exceed \$1,000 upon the permit holder and may notify any
13 state in which the permit holder has been issued a license that
14 his or her Illinois permit has been terminated and the reasons
15 for the termination. The monetary penalty shall be paid within
16 60 days after the effective date of the order imposing the
17 penalty. The order shall constitute a judgment and may be
18 filed and execution had thereon in the same manner as any
19 judgment from any court of record. It is the intent of the
20 General Assembly that a permit issued pursuant to this Section
21 shall be considered a privilege and not a property right.

22 Section 10. The Good Samaritan Act is amended by changing
23 Section 20 as follows:

24 (745 ILCS 49/20)

1 Sec. 20. Free dental clinic; exemption from civil
2 liability for services performed without compensation.

3 (a) Any person licensed under the Illinois Dental Practice
4 Act to practice dentistry or to practice as a dental hygienist
5 who, in good faith, provides dental treatment, dental
6 services, diagnoses, or advice as part of the services of an
7 established free dental clinic providing care to medically
8 indigent patients which is limited to care which does not
9 require the services of a licensed hospital or ambulatory
10 surgical treatment center, and who receives no fee or
11 compensation from that source shall not, as a result of any
12 acts or omissions, except for willful or wanton misconduct on
13 the part of the licensee, in providing dental treatment,
14 dental services, diagnoses or advice, be liable for civil
15 damages. For purposes of this Section, a "free dental clinic"
16 is an organized program providing, without charge, dental care
17 to individuals unable to pay for their care. For purposes of
18 this Section, an "organized program" is a program sponsored by
19 a community, public health, charitable, voluntary, or
20 organized dental organization. Free dental services provided
21 under this Section may be provided at a clinic or private
22 dental office. A free dental clinic may receive reimbursement
23 from the Department of Healthcare and Family Services or may
24 receive partial reimbursement from a patient based upon
25 ability to pay, provided any such reimbursements shall be used
26 only to pay overhead expenses of operating the free dental

1 clinic and may not be used, in whole or in part, to provide a
2 fee, reimbursement, or other compensation to any person
3 licensed under the Illinois Dental Practice Act who is
4 receiving an exemption under this Section or to any entity
5 that the person owns or controls or in which the person has an
6 ownership interest or from which the person receives a fee,
7 reimbursement, or compensation of any kind. Dental care shall
8 not include the use of general anesthesia or require an
9 overnight stay in a health care facility.

10 (b) A dentist who administers vaccinations as provided in
11 Section 54.3 of the Illinois Dental Practice Act at a public
12 health clinic operated pursuant to the Public Health District
13 Act, without charge to the patient or the receipt of a fee or
14 compensation from that clinic or for that service in any way,
15 shall not be liable for civil damages as a result of his or her
16 acts or omissions in providing vaccinations, except for
17 willful or wanton misconduct.

18 (c) The provisions of this Section shall not apply in any
19 case unless the free dental clinic or public health clinic has
20 posted in a conspicuous place on its premises an explanation
21 of the immunity from civil liability provided in this Section.

22 (c-5) The provisions of this Section do not apply to a
23 dentist issued a temporary visiting dentist permit pursuant to
24 Section 19.3 of the Illinois Dental Practice Act.

25 (d) The changes to this Section made by this amendatory
26 Act of the 99th General Assembly apply only to causes of action

1 accruing on or after the effective date of this amendatory Act
2 of the 99th General Assembly.
3 (Source: P.A. 99-92, eff. 1-1-16.)".